

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1 and 3-28 are currently pending in the application, of which Claims 1 and 18 are independent claims. By this Amendment, Claim 19 has been canceled, without prejudice, and Claims 1 and 18 have been amended. Support for these amendments can be found in the specification at, for example, page 67, lines 13-20, page 70, lines 18-20, page 73, lines 7-11, page 74, line 20 to page 75, line 11. No new matter has been added.

The Office Action dated April 18, 2008 rejected Claims 1, 3, 7, 10, 13, 18-22, and 25-28 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,855,725 to Fernandez et al. ("Fernandez") in view of U.S. Patent No. 5,404,505 to Levinson ("Levinson"). Claims 4, 5, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez in view of Levinson and in view of what was, according to the Office Action, "extremely well known in the art at the time of the applicant's invention." Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez and Levinson in view of JP04032497 to Kigami et al. ("Kigami"). Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez and Levinson in view of U.S. Patent No. 5,790,935 to Payton ("Payton"). Claim 9 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez and Levinson in view of U.S. Patent No. 6,556,561 to Himbeault ("Himbeault"). Claims 11 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez and

Levinson in view of U.S. Patent No. 5,903,901 to Kawakura ("Kawakura"). Finally, Claims 14-17, 24, 26, and 28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fernandez and Levinson in view of Payton. To the extent that the rejections remain applicable to the claims currently pending, the Applicants hereby traverse these rejections, as follows.

Regarding Claims 1 and 18, the Applicants respectfully submit that the cited prior art, taken alone or in combination, fails to teach or suggest at least the following combination of features: a main memory located at a local library that stores electronic books for delivery to electronic book viewers of subscribers in the system via at least one of an internet network, a cable telephone network, and a broadcasting network, wherein the electronic books are received from at least one remote provider, and each of the electronic book viewers of the subscribers includes a local memory; first queues that temporarily store first sections of electronic books; and second queues that temporarily store second sections of electronic books, wherein the electronic books include order-on-demand electronic books and popular electronic books, the order-on-demand electronic books are received from the at least one remote provider upon requests from the subscribers and the popular electronic books are pre-loaded into at least one of the main memory and a memory installed within the viewers of the subscribers, and wherein the first sections of electronic books are delivered to the subscribers without charge and the second sections of electronic books are delivered when an order for the electronic books is made by a subscriber, as recited in amended Claim 1, and similarly recited in amended Claim 18.

Regarding Claims 1 and 18, the Office Action admitted that “Fernandez fails to teach: delivery to subscriber via at least one of an internet network, cable telephone network, and a broadcasting network, wherein the electronic books are received from at least one remote provider, and wherein the electronic books include order-on-demand electronic books and popular electronic books, the order-on-demand books are received from the least one remote provider upon requests from the subscribers and the popular electronic books are pre-loaded into at least one of the main memory and the local memory of the electronic book viewers of the subscribers.” See Office Action, at page 3, paragraph 2. The Office Action, however, alleged that Levinson teaches such features, as seen in Levinson, col. 3, lines 5-12, col. 2, line 65 to col. 3, line 2, col. 1, lines 30-33.

It is submitted that although Levinson describes “reserving a portion of the system’s bandwidth for satisfying requests for access to information not provided with the basic subscriber service,” Levinson does not disclose that the basic subscriber service is pre-loaded into a main memory located that is a local library or a local memory of the electronic book viewer of the subscriber. Furthermore, Levinson fails to teach or suggest that first sections of electronic books are delivered to the subscribers without charge and the second sections of the electronic books are delivered when an order for electronic books is made by a subscriber, as recited in amended Claim 1 and similarly in amended Claim 18.

Accordingly, neither Fernandez nor Levinson, when taken singly or in combination thereof, teaches or suggests the features of amended Claims 1 and 18, as

described above. Claims 1 and 18, as amended, are therefore, allowable over the cited art.

Regarding claims 3-17 and 20-28, Applicants respectfully submit that none of Kigami, Payton, Himbeault, and Kawakura cure the deficiencies of Fernandez and Levinson. In addition, at least due to their dependencies from one of allowable amended Claims 1 and 18, these claims are also allowable over the cited art.

CONCLUSION


For all of the above reasons, it is respectfully submitted that the claims now pending patentably distinguish the present invention from the cited references. Accordingly, reconsideration and withdrawal of the outstanding rejections and an issuance of a Notice of Allowance are earnestly solicited.

Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

In the event this paper is not considered to be timely filed, Applicants hereby petitions for an appropriate extension of time. The Commissioner is hereby authorized

to charge any fee deficiency or credit any overpayment associated with this communication to Deposit Account No. 01-2300, referring to client-matter 026880-00004.

Respectfully submitted,



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